REMARKS

The Examiner's indication of allowable subject matter of claims 24-28 is noted with appreciation.

Claims 9-12 and 14-38 are pending in the application. Claim 11 has been rewritten in independent form including all limitations of base claim 9. Independent claims 9 and 15 have been amended to better define the claimed invention. Claims 29-38 have been added to provide Applicants with the scope of protection to which they are believed entitled. Claim 13 has been cancelled. No new matter has been introduced through the foregoing amendments.

The Examiner's rejections of claims 9-23 as being anticipated by U.S. Patent No. 6,307,583 to *Randolph* are noted. Applicants respectfully disagree with the Examiner's statement that elastic element 185 biases the support towards both the forward and rearward positions. *See* the sentence bridging pages 2-3 and page 4, lines 10-11 from bottom, of the Office Action. The Examiner is kindly asked to cite the column and line numbers of the *Randolph* patent where the alleged teaching is disclosed.

Element 185 of *Randolph* appears to bias the dancer roller only toward the position shown in solid line in FIG. 4 of the patent. A person of ordinary skill in the art would recognize that if element 185 was to bias the dancer roller toward the position shown in phantom line, then when the dancer roller had reached the phantom line position, it would stay there permanently. Indeed, when the dancer roller was in the phantom line position, both forces acting on the dancer roller, namely, the tension of the ribbon and the spring force of element 185, would pull/push the dancer roller toward the bottom right corner of FIG. 4, keeping the dancer roller in the phantom line position forever. This would defeat the tension-adjusting purpose of the dancer roller.

Thus, the proper understanding of element 185 of *Randolph* is that element 185 biases the dancer roller from the phantom line (forward) position toward the solid line (rearward) position.

The Examiner's reading of the *Randolph* phantom line position on the claimed rearward position, and the *Randolph* solid line position on the claimed forward position in the alternative rejection of claims 9-11 and 15-17 manifested in paragraph 3 of the Office Action, is therefore inaccurate. The anticipatory rejection of, at least, claims 11 and 17 is erroneous and should be withdrawn.

Claim 11 has been rewritten in independent form and should be considered patentable for the reasons advanced immediately above. New claims 29-34 depend from claim 11 and should be considered patentable for at least the same reasons. As to claim 34, note page 6, lines 9-11 of the specification.

Independent claim 9 has been amended to additionally recite a moving support translationally moveable between a forward position and a rearward position. In *Randolph*, the dancer roller is rotationally moved about element 183 (FIG. 4). Thus, amended independent claim 9 is not anticipated by *Randolph*. Claims 10, 12, and 14, depending from claim 9, are not anticipated by *Randolph* for at least the same reason.

Independent claim 15 has been amended to additionally recite a moving support slidable between a forward position and a rearward position. In *Randolph*, the dancer roller is not disclosed to slide between the solid and phantom line positions. Thus, amended independent claim 15 is not anticipated by *Randolph*. Claims 16-23 and 38, depending from claim 15, are not anticipated by *Randolph* for at least the same reason.

New independent claim 35 recites a ribbon marking system, comprising: a supply spool having a core and a length of ribbon wound around said core; a take-up spool of said ribbon; a plurality of ribbon guides about which said ribbon is entrained, said ribbon guides being arranged between said spools to define a path along which said ribbon operatively moves from said supply spool to said take-up spool; a moving support moveable between a forward position and a rearward position, said moving support supporting thereon at least one of said ribbon guides; and an elastic

element attached to said moving support and biasing said moving support toward the rearward position; a marking head moveable toward and away from said ribbon; and a braking element directly and physically contacting said core and preventing said supply spool from rotating when said moving support is in a position other than the forward position. New claim 35 finds solid support in the original specification (page 4, lines 34-35) and drawings (FIG. 1). In *Randolph*, the resilient belt 62 does not appear to prevent the supply spool from rotating; belt 62 of *Randolph* is just a drag brake. *See* column 7, lines 16-17 of *Randolph*. Thus, new independent claim 35, and claims 36-37 depending therefrom, should be considered patentable.

Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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